

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

COLORADO RIVER BASIN REGION

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ORDER NO. R7-2007-0066
AMENDING ORDER NO. R7-2005-0084
NPDES NO. CA0104400

The following Discharger is authorized to discharge in accordance with the conditions set forth in this Order:

Discharger	City of Imperial
Name of Facility	City of Imperial Water Pollution Control Plant
Facility Address	701 East 14th Street
	Imperial, CA 92251
	Imperial County

The Discharger is authorized to discharge from the following discharge points as set forth below:

Discharge Point	Effluent Description	Discharge Point Latitude	Discharge Point Longitude	Receiving Water
001	Treated Wastewater	32 °, 51', 17" N	115 °, 33', 42" W	Dolson Drain

This Order was adopted by the Regional Water Board on:	September 19, 2007
This Order shall become effective on:	September 19, 2007
This Order shall expire on:	June 29, 2010
The U.S. Environmental Protection Agency (U.S. EPA) and the Regional Water Board have classified this discharge as a major discharge.	
The Discharger shall file a Report of Waste Discharge in accordance with Title 23, California Code of Regulations, not later than 180 days in advance of the Order expiration date as application for issuance of new waste discharge requirements.	

IT IS HEREBY ORDERED, that Order No. R7-2005-0084 is amended in the manner specified below upon the effective date of this Order and, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the federal Clean Water Act (CWA), and regulations and guidelines adopted thereunder, the Discharger shall comply with the requirements in this Order as well as with those portions of Order No. R7-2005-0084 that were not amended by this Order.

I, Robert E. Perdue, Executive Officer, do hereby certify the following is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on September 19, 2007.

ROBERT E. PERDUE, Executive Officer

The California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Water Board), finds:

A. Background.

1. On June 29, 2005, the Regional Water Board adopted Order No. R7-2005-0084, NPDES No. CA0104400, prescribing Waste Discharge Requirements (WDRs) for the City of Imperial Water Pollution Control Plant (hereinafter Discharger) for the discharge of 1.4 million gallons per day (mgd) of secondary treated wastewater to the Dolson Drain, a water of the United States, via Lilac Drain, Rose Drain, Alamo River, and then to the Salton Sea. Order No. R7-2005-0084 will expire on June 29, 2010.
2. On November 15, 2006 the Discharger submitted a Report of Waste Discharge (ROWD) applying for a National Pollutant Discharge Elimination System (NPDES) permit revision to discharge up to 2.4 mgd of secondary treated wastewater from the wastewater treatment plant. The Regional Board requested supplemental information that was received January 3, 2007.
3. Board Order R7-2005-0084 may be modified, rescinded and reissued, for cause. The filing of a request by the Discharger for a Board Order modification, rescission and reissuance, or a notification of planned changes or anticipated noncompliance does not stay any Board Order condition. Causes for modification include the promulgation of new regulations, modification of land application plans, or modification in sludge use or disposal practices, or adoption of new regulations by the State Board or the Regional Board, including revisions to the Basin Plan.
4. The 303(d) List classifies the Salton Sea as impaired by nutrients. The Salton Sea and its tributaries may be affected by future Total Maximum Daily Loads (TMDLs) developed for those water bodies. A nutrient TMDL is under development for the Salton Sea that may have impacts on permitted discharges to tributaries to the Salton Sea (Alamo River and Dolson Drain). The nutrient TMDL for the Salton Sea is tentatively scheduled for completion in 2009. Monitoring for nutrients has been included in the upstream receiving water in this amendment to Board Order R7-2005-0084.
5. Order No. R7-2005-0084 includes discharge flow limits and final mass based effluent limits for Biochemical Oxygen Demand (BOD₅), Total Suspended Solids (TSS), Total Dissolved Solids (TDS), Selenium, and Thallium. In addition, Order No. R7-2005-0084 includes interim mass based limits for Selenium and Thallium in accordance with Section 2.1 of the Policy for Implementation of Toxic Standards for Inland Surface Waters, and Enclosed Estuaries of California. This amendment revises the flow discharge limit and the mass based effluent limits to correspond to the facility upgraded design flow capacity.
6. Board Order No. R7-2005-0084 established Water Quality Based Effluent Limits (WQBELs) for TDS. These WQBELs were based on receiving water quality objectives established in the Basin Plan that state that any discharge to the Imperial Valley Drains shall not cause the concentration of TDS in the surface water to exceed a maximum daily concentration of 4,500 mg/L and an annual average concentration of 4,000 mg/L. Board Order No. R7-2005-0084 included average monthly and maximum daily effluent limitations for TDS. Due to the incorrect interpretation of the Basin Plan receiving water quality objectives for TDS as numeric effluent limitations, this Order replaces the numeric effluent limitations for TDS with a narrative effluent limitation and establishes a receiving water limitation for TDS to accurately apply the WQOs of the Basin Plan. The replacement of those numeric effluent limitations with a narrative effluent limitation and receiving water limitation for TDS does not

constitute backsliding due to the exception contained in Section 402(o)(2)(B)(ii) of the CWA. This Section states that if the Administrator determines that a technical mistake or mistake in interpretation of the law was made when establishing the limits, the appropriate application of those laws is justified. Further, the effluent data were used to conduct a Reasonable Potential Analysis (RPA); the discharge does not demonstrate reasonable potential to exceed water quality objectives for TDS. Therefore, Water Quality Based Effluent Limits are not required for the discharge.

7. The immediate receiving water is the Dolson Drain, which is a part of the Imperial Valley Drains. The 2002 USEPA 303(d) list of impaired waters (hereinafter 303(d) List) classifies the Imperial Valley Drains as impaired by sediment/silt, pesticides, and selenium. Further, the Alamo River, to which the Dolson Drain is tributary, is listed as impaired by pesticides and selenium. In addition, the 303(d) List classifies the Salton Sea as impaired by nutrients. Tributaries to the Salton Sea, including the Alamo River, may be affected by future TMDLs for the Salton Sea and its tributaries. A nutrient TMDL is under development for the Salton Sea that may have adverse impacts on permitted discharges to tributaries to the Salton Sea (Alamo River and Dolson Drain). The nutrient TMDL for the Salton Sea is tentatively scheduled for completion in 2009.

B. Facility Description.

1. The Discharger owns and operates the wastewater treatment plant. The current total design capacity of the wastewater treatment plant is 1.4 mgd. The wastewater treatment plant is being expanded to treat an average daily flow (ADF) of 2.4 mgd and a peak daily flow (PDF) of 4.8 mgd. The current wastewater treatment plant consists of an influent pumping station, grit chamber, two parallel oxidation ditches, two secondary clarifiers, an ultraviolet disinfection system, and sludge drying beds.
2. The Discharger proposes the following upgrades to the facility: 1) Remove and replace the existing grinder with a new screening mechanism. Retrofit the existing headworks channel with a screening dewatering/system; 2) Install a packaged lift station, wet well, and appurtenant piping to deliver water from the existing splitter box to the proposed extended aeration/activated sludge basin; 3) Install an extended aeration/activated sludge basin with integral clarifier treatment system with separate building to house the blowers; 4) Remove the existing ultraviolet disinfection system and replace with a higher output capacity UV system; 5) Construct 10 additional sludge drying beds; 6) Upgrade the existing electrical to accommodate the proposed facilities.

- C. California Environmental Quality Act (CEQA).** This action to amend an NPDES permit is exempt from the provisions of Chapter 3 of CEQA (commencing with Section 21100) of Division 13 of the California Public Resources Code in accordance with Section 13389 of the CWC.

Pursuant to CEQA (Pub. Resources Code, Section 21000 et seq.), the City of Imperial, acting as the lead agency, conducted an Initial Study to evaluate whether the proposed expansion to the facility would have a significant impact on the environment. Based on that study, the City of Imperial concluded that the proposed expansion would not have a significant impact so long as certain specified actions were taken to mitigate potential impacts that were identified. After those mitigation measures were incorporated into the proposed project, the City of Imperial issued for public comment a Notice of Intent to Adopt a Mitigated Negative Declaration. Following the public comment period, the City of Imperial filed with the State Clearinghouse on August 2, 2006, a Notice of Determination (NOD SCH2006061072) of its decision to approve the project for which it had approved the Mitigated Negative Declaration. The Regional Board has considered the Initial Study and the NOD and concurs that the project, as mitigated, will not

have a significant impact on the environment. Compliance with these Amended WDRs should prevent any adverse impacts on water quality.

As noted, mitigation measures to minimize environmental effects have been incorporated into the project. These mitigation measures include minimizing air pollution by using newer equipment and limiting dust by watering disturbed areas, and limiting construction activities to designated areas. A burrowing owl pre-construction survey was prepared by a qualified biologist with California Department of Fish and Game authorization to remove and relocate burrowing owls, if encountered. During earth moving activities, if archeological or paleontological resources are encountered, work in that area will cease to determine the significance of the discovered resources. Replacing, capping, and designing foundations that may include silt/clay soils, and proper maintenance, storage, and disposal of hazardous materials.

- D. **Notification of Interested Parties.** The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
- E. **Consideration of Public Comment.** The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

Board Order No. R7-2005-0084 shall be amended as follows:

1. Page 3, I. Facility Information, replace table with the following:

Discharger	City of Imperial
Name of Facility	City of Imperial Water Pollution Control Plant
Facility Address	701 East 14th Street
	Imperial, CA 92251
	Imperial County
Facility Contact, Title, and Phone	Jackie Loper, Director of Community Development, (760) 355-4371
Mailing Address	420 S Imperial Avenue, Imperial, CA 92251
Type of Facility	Publicly Owned Treatment Works (POTW)
Facility Design Flow	2.4 Million Gallons per Day (mgd)

2. Page 9, IV. Effluent Limitations and Discharge Specifications, A.1.a., replace paragraph, table, and footnote with the following:

- a. During the period beginning September 19, 2007 discharges from the treatment system shall maintain compliance with the following effluent limitations at Discharge Point 001, with compliance measured at Monitoring Location M-001 as described in Monitoring and Reporting Program R7-2005-0084 (Attachment E of Board Order R7-2005-0084):

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Flow	mgd	2.4				
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	30	45	--	--	--
	lbs/day	601	901	--	--	--
Total Suspended Solids	mg/L	30	45	--	--	--
	lbs/day	601	901	--	--	--
pH	standard units	--	--	--	6.0	9.0
Selenium ¹	µg/L	4.1	--	8.2	--	--
	lbs/day	0.08	--	0.16	--	--
Thallium ¹	µg/L	6.3	--	12.6	--	--
	lbs/day	0.13	--	0.25	--	--

¹ Limitations are applicable after June 29, 2009. The interim limitations establish in Section IV.A.2 are applicable from September 19, 2007 through June 29, 2009.

3. Page 9, IV. Effluent Limitations and Discharge Specifications, A.1.b., replace paragraph with the following:

- b. Discharges of wastes or wastewater shall not increase the total dissolved solids content of receiving waters, unless it can be demonstrated to the satisfaction of the Regional Water Board that such an increase in total dissolved solids does not adversely affect beneficial uses of receiving waters.

4. Page 10, IV. Effluent Limitations and Discharge Specifications, A.2.a., replace paragraph and table with the following:

- a. During the period beginning September 19, 2007 and ending on June 29, 2009, the discharge of treated wastewater shall maintain compliance with the following limitations at Discharge Point 001, with compliance measured at Monitoring Location M-001 as described in Monitoring and Reporting Program R7-2005-0084 (Attachment E of Board Order R7-2005-0084). These interim effluent limitations shall apply in lieu of the corresponding final effluent limitations specified for the same parameters during the time period indicated in this provision.

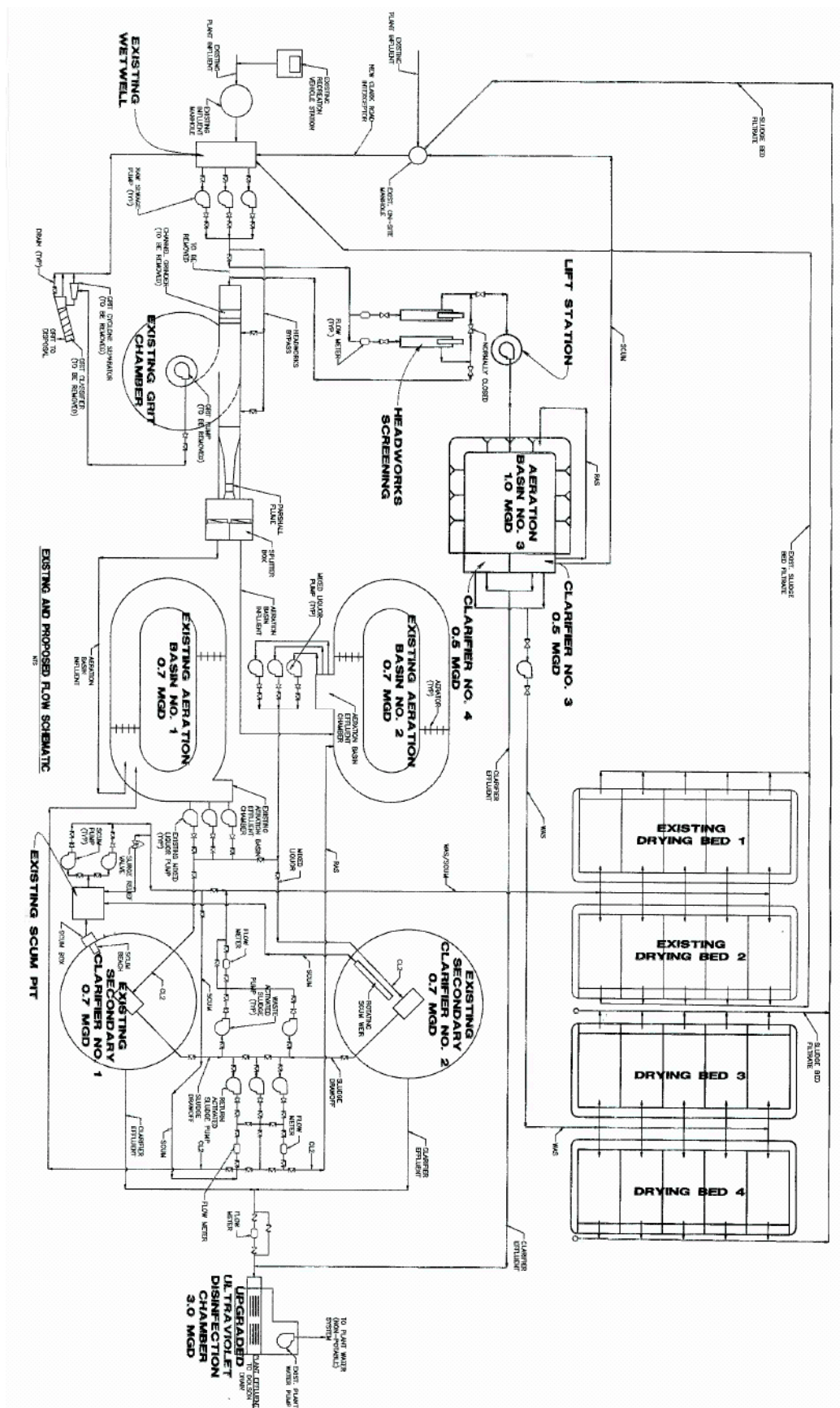
Parameter	Units	Effluent Limitations	
		Average Monthly	Maximum Daily
Selenium	µg/L	11	11
	lbs/day	0.22	0.22
Thallium	µg/L	16	16
	lbs/day	0.32	0.32

5. Page 11, V. Receiving Water Limitations, A.1., add new receiving water limitation as follows:

- m. The concentration of total dissolved solids in Dolson Drain to exceed an annual average concentration of 4,000 mg/L or an instantaneous maximum concentration of 4,500 mg/L.

6. Page C-1, Attachment C, - Flow Schematic, replace figure with the following:

ATTACHMENT C – FLOW SCHEMATIC



7. Page E-10, Attachment E, VIII. Receiving Water Monitoring Requirements – Surface and Groundwater, A.1., replace table with the following:

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Temperature	°F	Grab	1x/Quarter	1
Dissolved Oxygen	mg/L	Grab	1x/Quarter	1
pH	pH units	Grab	1x/Quarter	1
Nitrates as Nitrogen (N)	mg/L	Grab	1x/Quarter	1
Nitrites as N	mg/L	Grab	1x/Quarter	1
Ammonia Nitrogen as N	mg/L	Grab	1x/Quarter	1
Total Nitrogen as N	mg/L	Grab	1x/Quarter	1
Total Phosphate as Phosphorus (P)	mg/L	Grab	1x/Quarter	1
Ortho-Phosphate as P	mg/L	Grab	1x/Quarter	1
Total Dissolved Solids	mg/L	Grab	1x/Quarter	1
Hardness (as CaCO ₃)	mg/L	Grab	1x/Quarter	1
Priority Pollutants	µg/L	Grab	1x/Year	1

1 Pollutants shall be analyzed using the analytical methods described in 40 CFR sections 136; for priority pollutants the methods must meet the lowest minimum levels (MLs) specified in Attachment 4 of the SIP, where no methods are specified for a given pollutant, by methods approved by this Regional Board or the State Board.

8. Page E-10, Attachment E, VIII. Receiving Water Monitoring Requirements – Surface and Groundwater, B.1., replace table with the following:

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Temperature	°F	Grab	1x/Quarter	1
Dissolved Oxygen	mg/L	Grab	1x/Quarter	1
pH	pH units	Grab	1x/Quarter	1
Total Dissolved Solids	mg/L	Grab	1x/Quarter	1
Hardness (as CaCO ₃)	mg/L	Grab	1x/Quarter	1

1 Pollutants shall be analyzed using the analytical methods described in 40 CFR sections 136; for priority pollutants the methods must meet the lowest minimum levels (MLs) specified in Attachment 4 of the SIP, where no methods are specified for a given pollutant, by methods approved by this Regional Board or the State Board.

Page F-3, Attachment F, I. Permit Information, replace table with the following:

WDID	7A130106011
Discharger	City of Imperial
Name of Facility	City of Imperial Water Pollution Control Plant
Facility Address	701 East 14th Street
	Imperial, CA 92251
	Imperial County
Facility Contact, Title and Phone	Jackie Loper, Director of Community Development, (760) 355-4371
Authorized Person to Sign and Submit Reports	Vincent Long, City Manager, (760) 355-4371
Mailing Address	420 S Imperial Avenue, Imperial, CA 92251
Billing Address	SAME
Type of Facility	POTW
Major or Minor Facility	Major
Threat to Water Quality	2
Complexity	A
Pretreatment Program	N
Reclamation Requirements	None
Facility Permitted Flow	2.4 mgd
Facility Design Flow	2.4 mgd
Watershed	West Colorado River Basin
Receiving Water	Dolson Drain
Receiving Water Type	Agricultural Drain

9. Page F-4, Attachment F- Fact Sheet, II. Facility Description, A.2., replace paragraph with the following:

- The wastewater treatment plant consists of an influent pump station, grit chamber, two parallel oxidation ditches, two secondary clarifiers, an ultraviolet disinfection system, and sludge drying beds. The Discharger is currently installing the following upgrades to the facility: Replace the existing grinder with a new screening mechanism, retrofit the existing headworks channel, install a packaged lift station, wetwell, and appurtenant piping, install an extended aeration/activated sludge basin with integral clarifier treatment system, replace the existing ultraviolet disinfection system with a higher output capacity UV system, construct 10 additional sludge drying beds, and upgrade the existing electrical to accommodate the new facilities. Wastewater is discharged from Discharge 001 to the Dolson Drain, a water of the United States.

10. Page F-4, Attachment F- Fact Sheet, II. Facility Description, B.1., replace paragraph with the following:

- The final effluent is discharged to the Dolson Drain. The Dolson Drain conveys the effluent to the Salton Sea via the Lilac Drain, Rose Drain, and Alamo River. The permitted maximum daily flow limitation is equal to the facility's current design capacity of the wastewater treatment plant as 2.4 mgd.

11. Page F-8, Attachment F- Fact Sheet, III. Applicable Plans, Policies, and Regulations, D., replace third paragraph with the following:

The sedimentation/siltation TMDL establishes a numeric target of an annual average in-stream TSS concentration of 200 mg/L. In assigning the waste load allocation (WLA), the TDML assigned a WLA to the City of Imperial of 127.9 tons per year of suspended solids based on a TSS effluent limit equal to double the TSS effluent limits contained in the City's NPDES permit. The TSS effluent limits equal to the secondary effluent standards as specified in 40 CFR 133 for TSS of 30 mg/L as a monthly average and 45 mg/L as a weekly average are applied to this discharge. If the Discharger were to discharge at its maximum design flow rate of 2.4 mgd every day for a year at a concentration equal to the average monthly limit, the facility would not exceed the WLA of 127.9 tons per year of sediment. The limits established in this Order adequately implement the requirements of the TMDL. In addition, the 303(d) List classifies the Salton Sea as impaired by nutrients. Tributaries to the Salton Sea, including the Alamo River, may be affected by future TMDLs for the Salton Sea and its tributaries. A nutrient TMDL is under development for the Salton Sea that may have adverse impacts on permitted discharges to tributaries to the Salton Sea (Alamo River and Dolson Drain). The nutrient TMDL for the Salton Sea is tentatively scheduled for completion in 2009.

12. Page F-11, Attachment F- Fact Sheet, IV. Rationale for Effluent Limitations and Discharge Specifications, B.2, Table F-1, replace table and footnote with the following:

Parameter	Units	Effluent Limitations				
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum
Flow	mgd	2.4				
Biochemical Oxygen Demand 5-day @ 20 °C	mg/L	30	45	--	--	--
	lbs/day ¹	601	901	--	--	--
Total Suspended Solids	mg/L	30	45	--	--	--
	lbs/day ¹	601	901	--	--	--
pH	standard units	--	--	--	6.0	9.0

¹ Mass-based effluent limitations are based on a total design capacity of 2.4 mgd.

13. Page F-17, Attachment F- Fact Sheet, IV. Rationale for Effluent Limitations and Discharge Specifications, C.5, delete third paragraph, which currently reads as follows:

In addition, the Basin Plan states that any discharge to Imperial Valley Drains have a total dissolved solids (TDS) daily maximum limit of 4,500 mg/L and an annual average TDS limit of 4,000 mg/L. Effluent limits for TDS are included in this Order.

14. Page F-18, Attachment F- Fact Sheet, IV. Rationale for Effluent Limitations and Discharge Specifications, C.6, replace second paragraph after Table F-4 with the following:

Discharges of wastes or wastewater shall not increase the total dissolved solids content of receiving waters, unless it can be demonstrated to the satisfaction of the Regional Water Board that such an increase in total dissolved solids does not adversely affect beneficial uses of receiving waters.

15. Page F-20, Attachment F- Fact Sheet, IV. Rationale for Effluent Limitations and Discharge Specifications, D.6, Table F-5, replace table and footnote with the following:

Parameter	Units	Effluent Limitations					Basis
		Average Monthly	Average Weekly	Maximum Daily	Instantaneous Minimum	Instantaneous Maximum	
Flow	mgd	2.4					
Biochemical Oxygen Demand 5-day @ 20°C	mg/L	30	45	--	--	--	40 CFR 133
	lbs/day	601	901	--	--	--	
Total Suspended Solids	mg/L	30	45	--	--	--	40 CFR 133
	lbs/day	601	901	--	--	--	
BOD Percent Removal	%	> / = 85	--	--	--	--	40 CFR 133
TSS Percent Removal	%	> / = 85	--	--	--	--	40 CFR 133
pH	standard units	--	--	--	6.0	9.0	Basin Plan
Selenium ¹	µg/L	4.1	--	8.2	--	--	CTR, SIP
	lbs/day	0.08	--	0.16	--	--	
Thallium ¹	µg/L	6.3	--	12.6	--	--	CTR, SIP
	lbs/day	0.13	--	0.25	--	--	

¹ Limitations are applicable after June 29, 2009. The interim limitations establish in Section IV.A.2 are applicable from September 19, 2007 through June 29, 2009.

16. Page F-20, Attachment F- Fact Sheet, IV. Rationale for Effluent Limitations and Discharge Specifications, D.b., replace with the following paragraph:
- b. Discharges of wastes or wastewater shall not increase the total dissolved solids content of receiving waters, unless it can be demonstrated to the satisfaction of the Regional Water Board that such an increase in total dissolved solids does not adversely affect beneficial uses of receiving waters.
17. All other conditions and requirements of Board Order No. R7-2005-0084 shall remain unchanged.

PUBLIC PARTICIPATION

The California Regional Water Quality Control Board, Colorado River Basin Region (Regional Water Board) is considering the amendment of WDRs that will serve as a NPDES permit for City of Imperial District Wastewater Treatment Plant. As a step in the WDR adoption process, the Regional Water Board staff has developed tentative WDRs. The Regional Water Board encourages public participation in the WDRs adoption process.

A. Notification of Interested Parties

The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations. Notification was published in the following newspapers: Desert Sun, Imperial Valley Press, and Salton Seafarer. In addition, copies of proposed permit were sent to interested agencies and persons.

B. Written Comments

The staff determinations are tentative. Interested persons are invited to submit written comments concerning these tentative WDRs. Comments should be submitted either in person or by mail to the Executive Officer at the Regional Water Board at the address above on the cover page of this Order.

To be fully responded to by staff and considered by the Regional Water Board, written comments should be received at the Regional Water Board offices by 5:00 p.m. on August 28, 2007.

C. Public Hearing

The Regional Water Board will hold a public hearing on the tentative WDRs during its regular Board meeting on the following date and time and at the following location:

Date: September 19, 2007
Time: 10:00 a.m.
Location: City Council Chambers
City of La Quinta
780495 Calle Tampico
La Quinta, CA 92253

Interested persons are invited to attend. At the public hearing, the Regional Water Board will hear testimony, if any, pertinent to the discharge, WDRs, and permit. Oral testimony will be allowed as well; however, for accuracy of the record, a written copy of the oral testimony to be given should be provided prior to or at the hearing.

Please be aware that dates and venues of the Regional Water Board's public meeting and hearing may change. The latest information concerning any scheduling changes can be found at the Regional Water Board's website: <http://www.waterboards.ca.gov/coloradoriver/>.

D. Waste Discharge Requirements Petitions

Any aggrieved person may petition the State Water Resources Control Board to review the decision of the Regional Water Board regarding the final WDRs. The petition must be submitted within thirty (30) days of the Regional Water Board's action to the following address:

State Water Resources Control Board
Office of Chief Counsel
1001 I Street
P.O. Box 100
Sacramento, CA 95812-0100

E. Information and Copying

The ROWD, related documents, tentative effluent limitations and special provisions, comments received, and other information are on file and may be inspected at the address above at any time between 8:30 a.m. and 4:45 p.m., Monday through Friday. Copying of documents may be arranged through the Regional Water Board by calling (760) 346-7491.

F. Register of Interested Persons

If you are interested in being placed on the mailing list for information regarding the WDRs and NPDES permit, please contact the Regional Water Board, reference this facility, and provide your name, address, and phone number.

G. Additional Information

Requests for additional information or questions regarding this draft order should be directed to Jose Cortez at (760) 776-8963.